



## **The Monocacy River Management Plan**

### **Frequently Asked Questions**

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#### **What is the Monocacy Scenic River Management Plan?**

The State of Maryland designated the Monocacy River as a Scenic and Wild River in 1974. The Maryland Department of Natural Resources (DNR) managed the preparation of the first Monocacy River Management Plan in 1990. DNR worked with the Monocacy Scenic River Citizens' Advisory Board (River Board) and staff from Frederick and Carroll Counties in preparing the Plan, which was approved by the respective counties and the state. The 2016 Draft Monocacy Scenic River Management Plan is an update of the 1990 Plan.

The 2016 Monocacy River Management Plan describes the River's ecology, environmental resources, natural & cultural history, and also contains recommendations for enhancement and protection of its corridor.

The 2016 Monocacy River Management Plan is not a legally binding document. It is similar to other County Plans such as the Historic Preservation Plan, and the Land Preservation, Parks and Recreation Plan that also contain recommendations and policy guidance for consideration in guiding government actions and land use decisions.

The draft of the 2016 Monocacy River Management Plan was released for public comment on October 6, 2016 via the River Board's web page. A formal press release announcing the creation of the River Management Plan was issued on October 13, 2016 by Frederick County. Carroll County posted the release of the Plan within the News section of the County's homepage. Copies of the Plan were placed in several County libraries for public review.

#### **Who will review and approve the Plan?**

The Draft Plan is a recommendation from the Monocacy Scenic River Citizens' Advisory Board, who will forward the Draft Plan to the respective officials in both Frederick and Carroll Counties. It is expected that the Draft Plan will then be presented to both the Frederick and Carroll County Planning Commissions for their review/recommendation.

In Frederick County, the County Council reviews and approves the Plan before sending to the County Executive for review and approval. In Carroll County, the Board of County Commissioners reviews and approves the Plan.

The Plan will also be presented to the City of Frederick and Town of Walkersville for their consideration.

## **What is the River Board and what role do they have with this Plan?**

The River Board is a citizen body whose role is to advocate for the Monocacy River. The members are volunteers appointed by the Frederick and Carroll County elected officials. The River Board has ten (10) members and is administered by staff from both counties. The Draft Plan represents the River Board's recommendations to the respective County elected officials. The River Board does not have authority to enact regulation or legislation.

## **What is the Monocacy River Resource Protection Area (MRRPA) (Yellow Line on Map)?**

The Draft Plan introduces the Monocacy River Resource Protection Area (MRRPA) which is described in chapters 6 and 10. The goal of the MRRPA is to *“protect, conserve, and enhance significant Monocacy River resources and their ecological functions and values that provide environmental, social, and economic benefit to Frederick and Carroll County residents.”*

The delineation of the MRRPA was based on the application of conservation-based science and analyzing the extent and location of the following landscape elements along the River corridor:

- o Federal Emergency Management Agency (FEMA) 100-year floodplain
- o Wetlands linked to the River & floodplain
- o Critical woodlands adjacent to the River's banks
- o Moderate & steep slopes adjacent to the River

The area included within the MRRPA would provide a focus for the following activities:

- Reforestation initiatives
- Wetland enhancement
- Wildlife habitat improvements
- Environmental restoration
- Agricultural Best Management Practices (BMPs)
- Forest “banking” sites---Frederick County's Forest Resource Ordinance
- Land purchase for public use
- River setback/buffer

The River Board encourages the local governments to work with property owners within the MRRPA to achieve the common goal of improving the Monocacy River and its corridor as described in the Draft Monocacy River Management Plan.

The Draft Plan recommends that one of the many ways in which the MRRPA could function is a setback line, which would address the location and placement of new structures in the River corridor. The details and application of a possible future setback regulation are unknown at this point in time because each County (and the City of Frederick and the Town of Walkersville) would have to initiate a River setback proposal, draft a regulation, proceed through a public hearing process, and then decide whether to approve or deny the River setback ordinance.

## **Would the MRRPA restrict farming activities?**

No. The MRRPA does not propose restricting any farming activities such as animal pastures or growing crops. Page 10-2 of the Plan indicates the River Board's support for active agricultural activities within the MRRPA.

### **What are Ecologically Significant Areas (ESAs) (Red Lines on Map)?**

The ESAs are areas identified by the Maryland Department of Natural Resources (DNR) to indicate where rare, threatened, or endangered species may be present. This information is publicly available from the DNR and was not created or modified by the River Board. It is included in the Plan as another informational item about the Monocacy River's unique ecology.

### **If I have ESA's on my property, does this affect my use of the property?**

There are no restrictions to the current use of property if there are ESAs designated by Maryland DNR. However, if a property owner wishes to develop/subdivide his/her property, there may be local or State regulations, such as the Maryland Forest Conservation Act, already in place that would require an additional review to determine if there are ESAs on the property. This may result in collaboration with Maryland DNR to mitigate development impacts. The Draft Plan does not contain any specific recommendations for limiting or regulating activities in the ESAs.

### **What are the FEMA Floodplain lines? (Blue Lines on map)**

The Federal Emergency Management Agency (FEMA) has mapped areas along significant waterways that flood during a "100 year storm." The 100 year storm is a rainfall event that has a 1% chance of occurring in one year. Current regulations in the Frederick County Zoning Ordinance prohibit the construction of structures within the 100-year floodplain and require an additional 25-foot setback of structures from the 100-year floodplain line. Questions regarding these existing regulations can be addressed by your local government planning or zoning office.

### **How would the MRRPA be implemented?**

The Draft Plan, if adopted by Frederick and Carroll Counties and also adopted by the City of Frederick and Town of Walkersville, would not automatically create an ordinance or legislation for a MRRPA, or any other suggested initiatives in the Plan. The MRRPA and most of the other Plan's recommendations could only be implemented through County policy or through legislation that would be initiated by either the Frederick County Executive, the Frederick County Council or the Carroll County Commissioners. Any legislation to amend the Zoning Ordinance, for example, would go through a public hearing process before being considered for enactment.

### **Does the Plan recommend a walking or biking path along the Monocacy?**

No, the Draft Plan does not recommend a walking or biking path along the Monocacy River.

### **Does the Plan recommend government take private property through eminent domain or creation of easements to allow public use of private property?**

No, the Draft Plan does not recommend the taking of any property or land owner property rights.

### **Does the Plan recommend the creation of more public access points to the Monocacy River?**

Yes, the Draft Plan includes a recommendation for purchase of land for public uses along the River for conservation, parkland development, or River access. The Plan also recommends that safe access points be maintained as a public amenity. However, these would be on public property, not private property.

### **What are the next steps in the development of the Plan?**

The time period for public comment to the River Board will end January 31, 2017. All written correspondence will be compiled and distributed to the River Board. The River Board has had four (4) public meetings and heard over 10 hours of public comment regarding the Plan.

The next River Board's normal monthly meeting will be February 1, 2017 at 7:00 p.m. at Winchester Hall, 12 East Church Street, Frederick, Maryland. As always, these meetings are open to the public. However, the River Board will not take further public comment on the Draft Plan at the February 1, 2017 meeting, as the public comment period will be over.

The River Board will review and discuss all of the comments received and make decisions regarding changes to the 2016 Draft Plan. When the River Board approves the Plan, it will then be forwarded to Frederick County, Carroll County, the City of Frederick, and the Town of Walkersville for review and possible adoption. The Frederick County Council and Carroll County Commissioners may hold public hearings to consider the plan in spring 2017.

### **Summary**

The draft Monocacy Scenic River Management Plan does not mandate implementation of any its recommendations. The Plan and its recommendations would first have to be adopted by the local governments. The Plan's suggested recommendations are proposed for consideration and to encourage collaboration among all parties to improve and protect the Monocacy Scenic River's unique and sensitive resources. The goal of the suggested recommendations is not to stop development or impede agriculture and other initiatives, but to advocate for sustainable land uses, best management practices, and activities that respect and protect the River, its corridor and watershed.